

PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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P.O. Box 45029
Newark, New Jersey 07101

FILED

March 9, 2010

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
EARL B. BRADLEY, M.D.	:	ORDER OF IMMEDIATE
License No. 25MA04750500	:	SUSPENSION PURSUANT TO
	:	<u>N.J.S.A.</u> 45:9-19.16a
TO PRACTICE MEDICINE AND SURGERY	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") by Paula T. Dow, Attorney General of New Jersey (Kim D. Ringler, Deputy Attorney General, appearing) upon receipt of information revealing the following:

1. Respondent, Earl B. Bradley, M.D., is the holder of License No. 25MA04750500 and was first licensed to practice medicine and surgery in the State of New Jersey on February 13, 1986.

2. On or about December 29, 2009, the Delaware Board of Medical Practice issued a Public Order Accepting Complaint and Granting Temporary Suspension. (Exhibit "A")

CERTIFIED TRUE COPY

3. The Interim Order included a determination that the available information was sufficient to support entry of an order of temporary suspension of respondent's Delaware medical license based upon the Complaint and Motion which allege, among other things, "that the Respondent has engaged in and may continue to engage in activity which presents a clear and immediate danger to the public health," and considering that there was no response.

4. On or about February 19, 2010, the Delaware Board of Medical Practice issued a final Public Order (Exhibit "B") approving a Consent Agreement (Exhibit "C") between Respondent and the Delaware Board permanently revoking, effective February 18, 2010 his certificate to practice medicine in Delaware. Respondent agreed to the revocation of his license in lieu of a hearing.

5. The Charges resolved by the Consent Order included allegations of criminal charges including rape in the second degree, unlawful sexual contact in the first degree, endangering the welfare of a child, rape in the first degree, and sexual exploitation of a child.

6. The Consent Agreement was based on the facts underlying Respondent's temporary suspension, described above, and is published on the Delaware Medical Board's website as being a

revocation of license based on a "reasonable belief of a clear and immediate danger to the public health." (Exhibit "D")

7. The Delaware findings are "grounded on facts that demonstrate that continued practice would endanger or pose a risk to the public health or safety pending a determination of findings" by the New Jersey Board as per N.J.S.A. 45:9.19-16a. The imposition of license revocation on these grounds requires the New Jersey Board to act immediately to suspend Respondent's license pursuant to N.J.S.A. 45:9.19-16a.

ACCORDINGLY, IT IS on this 9th day of Mar, 2010,
ORDERED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey is suspended by operation of N.J.S.A. 45:9-19.16a, without a hearing. He shall comply with the Directives Applicable to Any Medical Board Licensee Disciplined which are attached and incorporated herein.

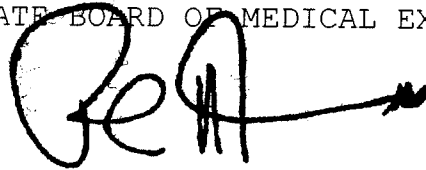
2. Pursuant to N.J.S.A. 45:9-19.16a, the documentation from Delaware Board of Medical Practice shall be a part of the record and establishes conclusively the facts determined therein.

3. Respondent is hereby notified of his immediate suspension effective as of the date of service of this Order.

4. Respondent may provide relevant evidence in mitigation and, in accordance with N.J.S.A. 45:9-19.16a, for good cause shown, the Board shall provide him an opportunity for oral argument only as to the discipline to be imposed by the Board.

5. The Board shall make a final determination as to discipline within 60 days of the date of mailing or personal service of this Order upon respondent.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

A handwritten signature in black ink, appearing to read 'Paul C. Mendelowitz', written over a horizontal line.

By:

Paul C. Mendelowitz, M.D.
Board President

**BEFORE THE BOARD OF MEDICAL PRACTICE
IN AND FOR THE STATE OF DELAWARE**

IN RE:

**EARL B. BRADLEY, M.D.
License No. C1-0004285**

)
)
)

Case No. 10-111-09

PUBLIC ORDER

ORDER ACCEPTING COMPLAINT AND GRANTING TEMPORARY SUSPENSION

AND NOW, this 29th day of December, 2009,

WHEREAS, the Delaware Department of Justice through the prosecuting Deputy Attorney General has filed with the Board a written Complaint and Motion for Temporary Suspension; and,

WHEREAS, said Complaint and Motion allege, among other things, that the Respondent has engaged in and may continue to engage in activity which presents a clear and immediate danger to the public health; and

WHEREAS, Respondent and/or his legal counsel was given not less than 24 hours notice of the presentation to the Board of the Complaint and Motion and of the opportunity to be heard in opposition to entry of an Order of Temporary Suspension together with a copy of the Complaint in compliance with 24 *Del. C.* § 1738(a); and,


WHEREAS, after due consideration of the Complaint and the Motion, and there being no response thereto, the Board by the affirmative vote of at least seven members, has determined that the available information is sufficient to support the entry of an Order temporarily suspending Respondent's license to practice medicine in the State of Delaware.


IT IS SO ORDERED this 29th day of December 2009:


Exhibit "A"

1. That the Motion for Emergency Suspension of Respondent's license to practice medicine (License No. C1-0004285) is granted;
2. That Respondent shall be served with a copy of this Order as provided in 24 Del. C. §1735(a) and notice provided to the agencies listed therein;
3. That Complaint No. 10-111-09 is accepted by the Board as a Formal Complaint and shall be assigned to a three member hearing panel to be scheduled in accordance with 24 Del. C. §1738(d) to hear evidence related to the Complaint; and
4. That Respondent shall be served with a copy of the Complaint.

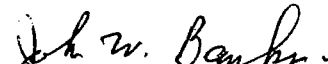
BOARD OF MEDICAL PRACTICE

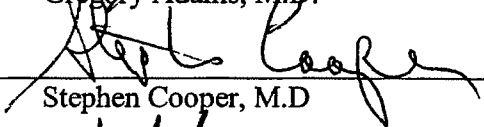

Raymond L. Moore, Sr., Public Member,
Vice-President, Presiding



Thomas Desperito, M.D.



Oluseyi Senu-Oke, M.D., Secretary

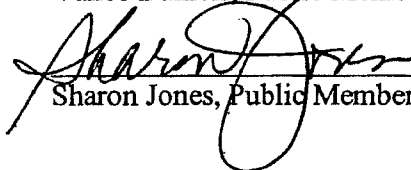

Gregory Adams, M.D.


John Banks, Public Member


Stephen Cooper, M.D.

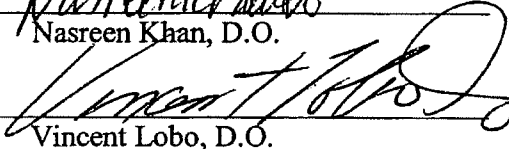

Vance Daniels, Public Member


Galicano Inguito, M.D.


Sharon Jones, Public Member


Nasreen Khan, D.O.


Sophia Kotliar, M.D.


Vincent Lobo, D.O.

Date Mailed: 12/30/09

**BEFORE THE BOARD OF MEDICAL PRACTICE
IN AND FOR THE STATE OF DELAWARE**

IN RE:

EARL B. BRADLEY, M.D.
License No. C1-0004285
MD 2482

Complaint No. 10-11-09

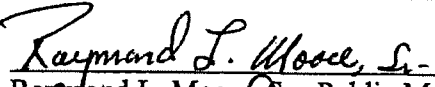
PUBLIC ORDER

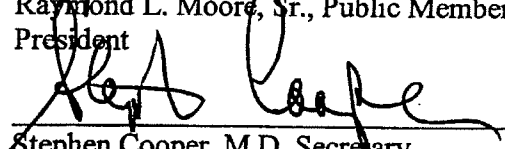
WHEREAS, the Board of Medical Practice ("the Board") has reviewed the attached Consent Agreement and by a vote of 8 members, with one member abstaining, approves the Consent Agreement and enters it now as an Order of the Board. The Certificate to Practice Medicine (C1-0004285) issued to Earl B. Bradley, M.D., is hereby permanently revoked and the additional terms and conditions specified in the Consent Agreement are entered as the Order of the Board.

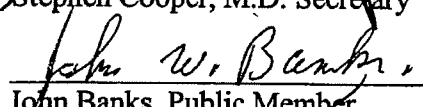
Pursuant to 24 Del. C. §1735 a copy of this Order shall be served personally or by certified mail, return receipt requested, upon Earl B. Bradley, M.D.

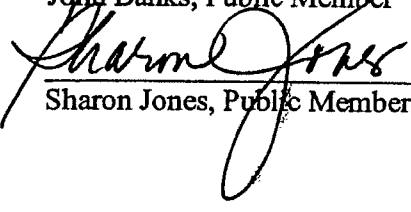
SO ORDERED this 19th day of February, 2010.


BOARD OF MEDICAL PRACTICE


Raymond L. Moore, Sr., Public Member,
President

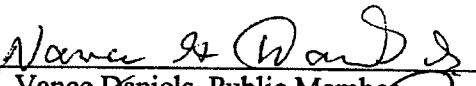

Stephen Cooper, M.D. Secretary

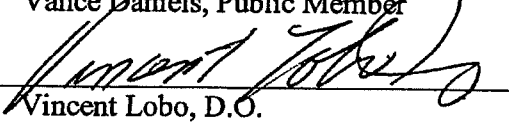

John Banks, Public Member


Sharon Jones, Public Member


Oluseyi Senu-Oke, M.D., Vice-President


Gregory Adams, M.D.


Vance Daniels, Public Member


Vincent Lobo, D.O.

George Brown, Public Member
(Abstaining)¹

Date mailed: _____

¹ Mr. Brown attended the meeting for purposes of establishing the quorum but did not vote because he was the assigned contact member for the complaint.

BEFORE THE DELAWARE BOARD OF MEDICAL PRACTICE

IN RE: EARL B. BRADLEY)	
)	Case No.: 10-111-09
LICENSE NUMBERS: C1-0004285)	
MD 2482)	

CONSENT AGREEMENT

A written Complaint has been filed with the Board of Medical Practice ("Board") alleging that Earl B. Bradley ("Respondent"), a licensed medical physician and prescriber of controlled substances in the State of Delaware, has engaged in conduct which constitutes grounds for discipline under 24 *Del.C. C. 17*). Respondent denies that he has engaged in any such conduct.

Respondent, the State by the undersigned Deputy Attorney General, and the Board hereby enter into this Consent Agreement without the necessity of a formal disciplinary hearing and administrative prosecution before the Board pursuant to 24 *Del.C. Ch. 17* and 29 *Del.C. Ch. 101*.

IT IS UNDERSTOOD AND AGREED THAT:

1. Respondent is a licensed medical doctor and prescriber of controlled substances in the State of Delaware. His medical license, number C1-004285, was first issued on April 12, 1994, and is active. His controlled substance license, number MD 2482, was first issued on April 12, 1994, and is active.

2. Respondent has been charged with rape in the second degree, unlawful sexual contact in the first degree, endangering the welfare of a child, rape in the first degree, and sexual exploitation of a child.

3. Respondent, the State, and the Board agree that Respondent's licenses will be revoked as of the date he signs this Consent Agreement.

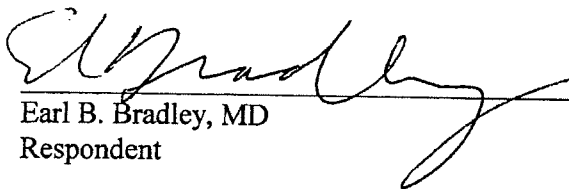
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4. In order to provide for his patients' medical care, Respondent voluntarily agrees to the transfer of all patient records to any physician licensed in the State of Delaware and /or any medical institution designated by the Director of the Division of Professional Regulation and the Executive Director of the Board of Medical Practice.
 5. Respondent agrees to waive any and all interest he may have in the patient records and further agrees to hold harmless any physician and/or medical institution designated to receive the records from any and all claims made by patients in regard to their records.
 6. In order to protect the public, Respondent agrees to the confiscation, destruction, and/or disposal of all medications, drugs and other materials such a hypodermic needles used in the diagnosis, mitigation and treatment or prevention of injury, illness, and disease in his office by the Executive Secretary of the Board of Pharmacy.
 7. Respondent agrees to waive any and all interest he may have in all medications, drugs and other materials in his office used in the diagnosis, mitigation and treatment or prevention of injury, illness, and disease that are confiscated, destroyed, and/or disposed of under this Consent Agreement.
 8. Respondent acknowledges that he is waiving his right under 24 *Del.C.* Ch. 17 and 29 *Del.C.* Ch. 101 to a disciplinary hearing before the Board prior to the revocation of his licenses.
 9. Respondent acknowledges and agrees that he has carefully read and understands this Consent Agreement and that he is entering into this Consent Agreement freely, knowingly, voluntarily, and after having the opportunity to receive the advice of counsel.
 10. Respondent further agrees and acknowledges that in the event the Board determines not to accept this Consent Agreement, neither he nor anyone on his behalf will in any way or in

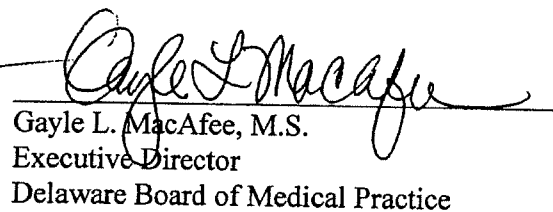
any forum challenge the ability of the Board or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint on the basis of the Board's prior consideration of this proposed Consent Agreement.

11. Respondent, the State, and the Board agree that Respondent does not admit the conduct alleged in the State's complaint and that no inference of guilt is evidenced or implied by the terms of this Agreement.

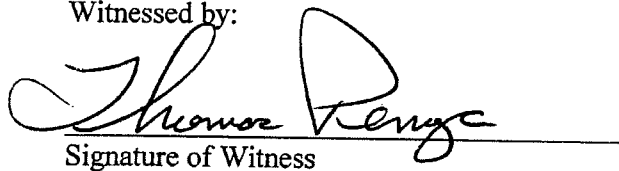
12. Respondent understands that this Consent Agreement is a public document and that the Board will report this Consent Agreement to the licensing authority of any other state in which he is licensed to practice and to national databases which collect information on such disciplinary actions.

13. This Consent Agreement shall be effective immediately upon execution by Respondent.

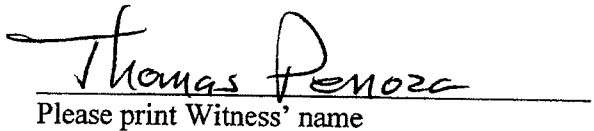

Earl B. Bradley, MD
Respondent

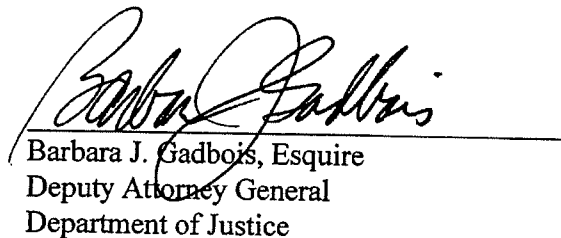

Gayle L. MacAfee, M.S.
Executive Director
Delaware Board of Medical Practice

Witnessed by:


Signature of Witness

Dated: 2/18/10


Please print Witness' name


Barbara J. Gadbois, Esquire
Deputy Attorney General
Department of Justice

Dated: 2/18/10

Dated: 2/18/10

**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD LICENSEE
WHO IS DISCIPLINED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED**

APPROVED BY THE BOARD ON MAY 10, 2000

All licensees who are the subject of a disciplinary order of the Board are required to provide the information required on the Addendum to these Directives. The information provided will be maintained separately and will not be part of the public document filed with the Board. Failure to provide the information required may result in further disciplinary action for failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq. Paragraphs 1 through 4 below shall apply when a license is suspended or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of an order which, while permitting continued practice, contains a probation or monitoring requirement.

1. Document Return and Agency Notification

The licensee shall promptly forward to the Board office at Post Office Box 183, 140 East Front Street, 2nd floor, Trenton, New Jersey 08625-0183, the original license, current biennial registration and, if applicable, the original CDS registration. In addition, if the licensee holds a Drug Enforcement Agency (DEA) registration, he or she shall promptly advise the DEA of the licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board. In addition, at the conclusion of the term, the licensee should contact the DEA to advise of the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

2. Practice Cessation

The licensee shall cease and desist from engaging in the practice of medicine in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee provides health care services. The disciplined licensee may contract for, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by any health care practice or any other licensee or health care provider. (In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.)

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove his/her name from professional listings, telephone directories, professional stationery, or billings. If the licensee's name is utilized in a group practice title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. A destruction report form obtained from the Office of Drug Control (973-504-6558) must be filed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). A licensee who is a member of a limited liability company organized pursuant to N.J.S.A. 42:1-44, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of

general circulation in the geographic vicinity in which the practice was conducted. At the end of the three month period, the licensee shall file with the Board the name and telephone number of the contact person who will have access to medical records of former patients. Any change in that individual or his/her telephone number shall be promptly reported to the Board. When a patient or his/her representative requests a copy of his/her medical record or asks that record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to the patient.

5. Probation/Monitoring Conditions

With respect to any licensee who is the subject of any Order imposing a probation or monitoring requirement or a stay of an active suspension, in whole or in part, which is conditioned upon compliance with a probation or monitoring requirement, the licensee shall fully cooperate with the Board and its designated representatives, including the Enforcement Bureau of the Division of Consumer Affairs, in ongoing monitoring of the licensee's status and practice. Such monitoring shall be at the expense of the disciplined practitioner.

(a) Monitoring of practice conditions may include, but is not limited to, inspection of the professional premises and equipment, and inspection and copying of patient records (confidentiality of patient identity shall be protected by the Board) to verify compliance with the Board Order and accepted standards of practice.

(b) Monitoring of status conditions for an impaired practitioner may include, but is not limited to, practitioner cooperation in providing releases permitting unrestricted access to records and other information to the extent permitted by law from any treatment facility, other treating practitioner, support group or other individual/facility involved in the education, treatment, monitoring or oversight of the practitioner, or maintained by a rehabilitation program for impaired practitioners. If bodily substance monitoring has been ordered, the practitioner shall fully cooperate by responding to a demand for breath, blood, urine or other sample in a timely manner and providing the designated sample.

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.